United Nations A/57/PV.93

General Assembly
Fifty-seventh session

Official Records

93rd plenary meeting
Thursday, 3 July 2003, 10 a.m.
New York

President: Mr. Kavan ..... (Czech Republic)

The meeting was called to order at 10.30 a.m.

Agenda item 10 (*continued*)

Report of the Secretary-General on the work of the Organization

Draft resolution (A/57/L.79)

The President: I am very sorry to have to inform members that because of a virtually last-minute problem with the draft resolution — an objection raised by one country — we have decided to suspend the meeting for half an hour in an attempt to find a consensus that does not exist at this moment.

The meeting was suspended at 10.35 a.m. and resumed at 11.15 a.m.

The President: The Assembly has before it a draft resolution entitled "Prevention of armed conflict".

We all feel that today's meeting has a special importance for us. Without any exaggeration, we all expect to adopt today one of the most important resolutions of the fifty-seventh session of the General Assembly. We have come to this moment through a very long and intensive negotiating process. The result of our work, the draft resolution on the prevention of armed conflict, if consensually adopted, will become without any doubt a document of far-reaching importance. This is a package that was carefully negotiated over several months, in the overall context of the prevention of armed conflict. The language in this draft resolution will not set a precedent for future negotiations on specific issues beyond that context.

The concept of the prevention of armed conflict has for a long time been at the forefront of the attention of the United Nations. But only after the report of the Secretary-General (A/55/985), who asked the General Assembly to consider a more active use of its powers with respect to the prevention of armed conflict, did Member States begin to work more intensively on this project. It was not an easy process, and it took the General Assembly three years to produce a concrete response to that important report of the Secretary-General. As members are aware, the process of drafting the draft resolution was launched during the fifty-sixth session of the General Assembly by my predecessor, Mr. Han Seung-soo. Despite much time and effort expended with a view to adopting a consensual resolution, the work was not completed, owing largely to insufficient time, and was rolled over to the current General Assembly session.

In my opening statement, on 10 September 2002, I said that it would be crucial to continue our work in the area of conflict prevention. I said also that successful preventive strategies should include accountability and good governance, respect for human rights and the promotion of social and economic development, as well as programmes aimed at disarmament, education and gender equality.

I was personally convinced from the very beginning of my presidency that we would be able to agree on a strong consensual text that would identify

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the underlying principles of the prevention of armed conflict and the elements of the General Assembly's potential in that area. I aimed to produce a text that would be clear and intelligible, yet strong, laying out all the principal elements relevant to the General Assembly's role in the prevention of armed conflict. After five months of intensive negotiations and a total of 37 consultations and more than 100 hours of negotiation, we have come to a final text, knowing that all those important elements are now an integral part of this draft resolution, providing a good base for further strengthening the role of the United Nations in preventing armed conflict.

Usually on these occasions, we praise the work of the facilitators. In that connection, I should like to stress that, in our case today, it is not at all a simple protocol matter and that we definitely owe so much to our distinguished colleague Ambassador Pierre Schori for his dedicated and thoughtful approach, his substantive skills, his abilities and his tireless efforts, which helped to finalize our work — particularly during the last phases of our deliberations — and helped us to cross the last gap of views and to hold on to a consensus. My heartfelt thanks go also to Ambassador Stig Elvemar, who skilfully chaired many consultations in my absence. I wish to thank him for his active involvement, his dedication and his productive work.

There is a long list of others whom I should like to thank. But let me just make clear that not only facilitators devoted themselves to the success of this drafting process. To my great satisfaction, there were many others who, without any specific nomination, worked tirelessly to achieve a consensual text and helped us all to narrow the division of views, which was sometimes so huge that we felt a certain despair and felt that we were at an impasse. I want to thank them all for their efforts in helping us to overcome those differences and to find a way out of the most difficult issues.

Thanks to those approaches, a compromise text was built day after day, and in the end finally we exceeded our self-imposed deadline by only 10 days. The result of our deliberations is now before the Assembly. Members had time during the final days to go through the text to see that the draft resolution on the prevention of armed conflict is — as I believe it to be — a good compromise. The support that delegations have shown for this text, both during and following the many consultations on it, has been both gratifying and encouraging to me. Ever since the end of the consultations, last Friday, many delegations have once again expressed to my office their support for the text of the draft resolution.

Therefore, I have proceeded to introduce this draft resolution as a consensus text. We all know that the draft resolution, if adopted consensually, will send a strong political signal to the world and will confirm the strong will of all Member States to enhance the preventive capacity of the United Nations and to move further from a culture of reaction to a culture of prevention.

I now call on the representative of the Islamic Republic of Iran, who wishes to speak in explanation of position before action is taken on the draft resolution. May I remind members that explanations of position are limited to 10 minutes and should be made by representatives from their seats.

Mr. Fadaifard (Islamic Republic of Iran): At the outset, Mr. President, I wish to express my appreciation for the hard work done by you and by your predecessor on the draft resolution under consideration (A/57/L.79). We fully understand that the draft resolution is a result of a long debate and that, given the controversial difficulties involved, reaching an agreed outcome may have been very difficult. We also understand that the President presented a number of suggestions to overcome differences at the very last stage of the negotiations.

We have taken note of the President's statement that

> "This is a package carefully negotiated over several months, in the overall context of the prevention of armed conflict. The language in this draft resolution will not set a precedent for future negotiations on specific issues beyond that context." (*supra*)

We fully agree with the contents of paragraph 5 concerning the need for States parties to disarmament treaties to fulfil their obligations under those treaties. However, we cannot agree with the weak language of paragraph 7 regarding the universality of those treaties. In our view, it is as important to emphasize the accession of all Member States to disarmament and non-proliferation treaties as it is to emphasize the need for full implementation of all the provisions of those

treaties. The current language of the draft resolution enables non-parties to such treaties to delay their accession to them and to keep their facilities beyond international monitoring, thereby undermining the relevant international mechanisms.

We shall join the consensus, without prejudice with regard to that position of principle and taking into account the President's statement that the language does not set a new precedent or undermine previous language concerning this issue.

The President: We have heard the only speaker in explanation of position before action is taken on the draft resolution.

The Assembly will now take a decision on draft resolution A/57/L.79, entitled "Prevention of armed conflict". May I take it that the Assembly decides to adopt draft resolution A/57/L.79?

Draft resolution A/57/L.79 was adopted (resolution 57/337).

The President: I shall now call on those representatives who wish to speak in explanation of position on the resolution just adopted. May I remind speakers that explanations of position are limited to 10 minutes and should be made by delegations from their seats.

Mr. Donovan (United States of America): Thank you, Mr. President, for your unwavering commitment and your extremely hard work in getting us to this Hall today.

My delegation greatly supports conflict prevention, but it is unfortunate that this resolution became a vehicle to comment on many unrelated subjects. We note your statement, Mr. President, that paragraphs in this resolution that do not relate directly to the prevention of armed conflict will not establish precedents.

In that spirit, although my delegation has joined the consensus in supporting this resolution, there are some points that, we feel strongly, need to be made.

With respect to operative paragraph 5 and paragraph 18 of the annex to the resolution, the United States agrees that the peaceful settlement of disputes through the means set forth in Chapter VI is desirable and that, in appropriate cases, consideration should be given to recourse to the International Court of Justice by States concerned or for advisory opinions.

The language in paragraph 3 of the annex is an accurate description of a key paragraph of the Monterrey Consensus on development assistance. We note, however, that official development assistance is neither the cause of nor the solution to armed conflict and its inclusion here is not entirely relevant. We all agree that absolute poverty contributes to the environment of conflict, but, as Monterrey made clear, official development assistance is only a very small part of the answer to poverty, which is primarily an issue of governance and national responsibility.

Also, the United States believes that the focus should be on international efforts to enhance compliance with arms control, non-proliferation and disarmament treaties. In some cases, strengthening international verification instruments is appropriate, but in other cases alternative approaches may be more effective.

Mr. Hyassat (Jordan): I would like to express my high appreciation and sincere gratitude for your leadership, Sir, in reaching consensus on this resolution. I would like also to thank the facilitators for their efforts and excellent work.

This resolution was finalized after a lengthy process and intense negotiations, which reflected the great importance of the subject before us. Our position remains that the prevention of armed conflict is a pillar of maintaining security and stability, thus contributing to development and economic prosperity.

While we would have favoured a stronger paragraph relating to foreign occupation, we understood the importance of achieving consensus and therefore maintained a great deal of flexibility throughout the negotiating process. We hope that this issue will be addressed more thoroughly in the future.

Mr. Chaudhry (Pakistan): Let me, too, join others in expressing appreciation for the hard work that you, Sir, your staff and the facilitators have done. This is truly a magnificent achievement after tremendous hard work.

I will briefly refer to two or three issues that my delegation has very strong feelings about.

We, like other delegations that have spoken before us, are not happy with the language in some of the paragraphs, in particular with paragraph 7 of the annex. We feel that it contains imbalanced language and bears no reference to the conclusion of

multilateral, non-discriminatory non-proliferation treaties. To join or not to join multilateral treaty regimes is a sovereign right of each State and must remain so. This must be a cardinal principle and no effort that tries to undermine this principle is acceptable to my delegation. We also feel that there should have been stronger general language on foreign occupation.

Having said that, we fully support this resolution. We fully support the ideas and the message that this resolution conveys and we hope that, now that the resolution has been adopted, positive action will be taken to implement it in toto.

Mr. Mekel (Israel): Israel has joined the consensus position on this resolution in light of the importance attached to the principle of conflict prevention and the resolution of disputes by peaceful means. Israel shares the belief that there is no better way to protect our children from the wars of tomorrow than by preventing conflicts today.

At this time, Israel would like to thank the President of the General Assembly for his efforts on this resolution on the prevention of armed conflict and those delegations that worked tirelessly towards this aim.

We regret that, throughout the process of negotiations on this resolution, certain delegations sought to introduce politicized language into the text in an attempt to single out specific post-conflict situations that bear no relevance to the adoption of general principles related to conflict prevention. Such conduct undermines the noble objective of this resolution by seeking to tailor a text of universal importance to serve the partisan agenda of specific States.

We hope that this resolution will serve as a guide to States in promoting the resolution of disputes by peaceful means, rejecting incitement to hatred and violence and embracing the principles of tolerance and mutual respect so as to prevent impending conflict.

Mr. Samy (Egypt) (*spoke in Arabic*): Allow me at the outset, on behalf of my delegation, to thank you, Sir, for your efforts to achieve today's important result.

We joined the consensus adoption of this resolution. We are fully aware of the difficulties that arose before we reached today's conclusion and of all the efforts you made to overcome them and achieve consensus. Although the language in many paragraphs is not as strong as we would have wished, we view the resolution in a positive light and hope that it will serve as a good starting point for the United Nations as it seeks to place the prevention of armed conflict among its priority activities. We also hope that the language in certain paragraphs will not set a precedent for future resolutions or for the work of the Organization in preventing armed conflict and in promoting development.

We reiterate our words of appreciation to the President of the General Assembly and to the delegation of Sweden in particular, which played a key role in the negotiations.

The President: We have heard the last speaker in explanation of vote.

I now give the floor to the Deputy Secretary-General.

The Deputy Secretary-General: I am here today to warmly welcome the adoption by the General Assembly of this historic resolution on the prevention of armed conflict. In adopting this resolution, the membership is responding to the report of the Secretary-General of 2001.

The Secretary-General has taken conflict prevention as one of his major priorities, pledging to move the United Nations from a culture of reaction to a culture of prevention. It was in line with this priority and in response to the Security Council debates and presidential statements of 1999 and 2000 that he prepared a comprehensive report in 2001. The Security Council endorsed the report in resolution 1366 (2001) of that same year.

Now, after two years of hard work, the General Assembly has adopted its first substantive resolution on this important issue. I hope it will become a landmark for our efforts in this field. As the Secretary-General reminded us in his report, we have an obligation to the victims of violence around the world to take seriously the challenge of prevention and to move from rhetoric to reality.

I congratulate the President of the General Assembly, Mr. Jan Kavan, for taking that obligation to heart, for the leadership he demonstrated and for the very difficult and time-consuming consultations he undertook over the past months to bring us this far. I would also like to thank Ambassadors Schori and Elvemar of Sweden, who, together with the President,

chaired most of the meetings with patience, perseverance and a positive outlook. All delegations that actively participated in the consultations employed the most constructive approach in negotiations, making possible the adoption of this very substantial resolution.

The Secretariat, for its part, is committed to strengthening the capacity of the United Nations system in order to carry out more effectively its responsibilities for the prevention of armed conflict. As called for in the resolution, we will submit a detailed review of the capacity of the United Nations system in the context of preparing a comprehensive report to the Assembly on the implementation of the present resolution.

I ask for continued support from the General Assembly as we all — in the Secretariat, the United Nations system, the Member States, regional organizations and civil society — build on the conclusions and recommendations of this resolution. I welcome the General Assembly's decision to include a specific item on conflict prevention on its provisional agenda for the fifty-ninth session.

I also look forward to increased interaction and close cooperation in that regard between the General Assembly and other major organs of the United Nations, in particular the Security Council, the Economic and Social Council and the Secretary-General. We in the Secretariat will do all in our power to make the implementation process of this resolution a successful endeavour, both for Member States and for the United Nations system, as well as for other partners involved.

Mr. Balarezo (Peru) (*spoke in Spanish*): On behalf of the Rio Group — Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Honduras, Guatemala, Guyana, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela — I would like to convey to the President and the facilitators our warmest congratulations and gratitude for their commitment, patience and leadership, which made it possible to place a satisfactory result before the Assembly today. We are particularly pleased that we have before us a text that has been adopted by consensus. Although it is a compromise text, it nevertheless contains important criteria and elements that we are certain will make it possible to channel the Organization's work in the area of conflict prevention, which will be one of the most important issues in the coming years.

As the Assembly is aware, the Rio Group played a very active role in the development and negotiation of this resolution. We are pleased to have made a specific and significant contribution to the final text and to key paragraphs of the resolution. We certainly regard the flexibility and commitment shown by other delegations as having been very important and relevant.

We believe that this resolution indeed contains important elements, including the fact that we have incorporated what amounts to a comprehensive vision of how to prevent armed conflict by addressing operational activities and structural elements as well as some systemic aspects. As the President and the Deputy Secretary-General have stated, we also believe that this resolution will make it possible for the Organization to be more effective.

Finally, we concur with the importance of moving from a culture of reaction to one of prevention. However, that must be done on the basis of a culture of action. This resolution is a concrete illustration of what the Assembly can do to address future problems.

Mr. Lavalle-Valdés (Guatemala) (*spoke in Spanish*): Needless to say, my delegation fully and unreservedly associates itself with the statement just made by our friend the representative of Peru on behalf of the Rio Group. We nevertheless wish to make a brief comment on our own account with regard to the resolution that has just been adopted.

In the fourth preambular paragraph of resolution 57/26, entitled "Prevention and peaceful settlement of disputes", which was adopted without a vote on 19 November 2002, the General Assembly explicitly recalled four declarations it had adopted on this matter, as well as the Model Rules for the Conciliation of Disputes between States, which it had also adopted. Of the five texts, only the Manila Declaration on the Peaceful Settlement of International Disputes (resolution 37/10, annex) is explicitly referred to in the resolution that has just been adopted. In this connection, my delegation would like to point out that it believes that this omission should not be interpreted as diminishing the importance of the four texts not explicitly mentioned in the resolution we have just adopted. Those four texts are the Declaration on the Prevention and Removal of Disputes and Situations

Which May Threaten International Peace and Security and on the Role of the United Nations in this Field (resolution 43/51, annex); the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security (resolution 46/59, annex); the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security (resolution 49/57, annex); and the United Nations Model Rules for the Conciliation of Disputes between States (resolution 50/50, annex). My delegation believes that, like the Manila Declaration and Article 33 of the Charter, those texts very usefully complement one another.

Mr. Francese (Italy): My delegation is particularly pleased to address the General Assembly today in your presence, Mr. President. I would also like to acknowledge with appreciation the presence at the podium of Deputy Secretary-General Louise Fréchette.

On behalf of the European Union and its acceding countries, I would like, Sir, to express our most sincere gratitude for the excellent way in which you conducted the negotiations leading to today's resolution, with the result that we were able to adopt it by consensus today, a very important outcome. The European Union believes that this resolution constitutes a meaningful first step towards enhancing the conflict prevention capacity of the United Nations and its Member States, thereby perhaps contributing to the prevention of armed conflict and the promotion of peace and security throughout the world.

We also would like to congratulate all the Member States that participated in these difficult consultations in recent months and whose will and dedication made it possible today to successfully adopt the resolution. Finally, allow me to thank the facilitators for their continuous efforts, as well as the Secretariat staff, for their hard work in support of our negotiations.

Mr. Rowe (Sierra Leone): As a country emerging from a very bitter conflict, and at the same time trying very hard to prevent the recurrence of armed conflict, Sierra Leone participated actively in the drafting of this resolution. We therefore wholeheartedly welcome its adoption. Notwithstanding its obvious weaknesses on a number of issues, we consider it to be a landmark document of the General Assembly. The prevention of armed conflict is at the heart of the work of this Organization. And, as you said, Sir, it is about time we moved — or made concrete efforts to move — from reaction to prevention.

My delegation would like to pay tribute to you, Sir, for your effort and, I should say, your patience in guiding us to the stage where we find ourselves today, at the successful outcome of our work. I should also add a note of commendation to the delegation of Sweden for leading us over the innumerable obstacles that we encountered in the long, and perhaps even tortuous, process of arriving at a consensus. We would also like to thank the Secretary-General, whose report (A/55/985) laid the foundation for the resolution that we adopted today. I also add my thanks to the facilitators, who helped to move us out of the dungeon, so to speak.

This document is not a legally binding instrument, but it certainly is, in our view, a powerful document. It carries moral weight and should receive the attention of all those States and individuals who are sincerely committed, not only to peace, but also to the prevention of armed conflict.

Ms. Davtyan (Armenia): First of all, Mr. President, I would like to join all those delegations that expressed their appreciation to you and to the facilitators for your commitment and hard work to ensure the successful outcome of our efforts to elaborate this long-needed resolution, which is of great importance for all of us. We particularly welcome the adoption of the resolution by consensus.

As we all know, the resolution was the result of lengthy, and sometimes difficult, negotiations, where there was often a need to accommodate political interests and legal principles in order to reach a fragile consensus. In that regard, my delegation would like to state that the Republic of Armenia joined the consensus on the resolution entitled "Prevention of armed conflict" on the understanding that there is no hierarchy among the principles of international law. Therefore, we take it that all the principles of international law mentioned or referred to in the resolution, including the principle of equal rights and self-determination of peoples, have equal standing and shall be treated on the same footing, regardless of the manner in which reference to them has been made.

Mr. Loulichki (Morocco) (*spoke in French*): I am speaking on behalf of the Group of 77 and China, but

on behalf of my own delegation, I would like to congratulate you, Mr. President, on the consensus that was forged on this very important resolution. I believe that your presidency will be remembered, inter alia, for the adoption of resolution 57/270 B, on integrated follow-up to the major United Nations conferences, and for today's consensus adoption of resolution 57/337. Those are two major achievements relating to the two primary activities of the United Nations: the maintenance of international peace and security and the promotion of cooperation and sustainable development among all United Nations Members.

We also congratulate the Swedish delegation, which has undertaken a tremendous effort, has shown great patience, has carefully weighed issues and has been very optimistic with respect to this exercise.

My delegation is aware of the limitation and imperfections of today's resolution. Still, we acknowledge and appreciate the achievements in it and the contributions it makes. The resolution is a new element of the legal edifice of the United Nations to promote the ideals of the Charter. It will make its mark, like the Manila Deciaration on the Peaceful Settlement of International Disputes, and also because, for the first time, it addresses the preventive dimensions of conflict, which lie at the heart of our Organization's activities. As such, it consolidates the principles and purposes of the Charter and takes them further.

This resolution makes available to United Nations organs an instrument that will help to advance the preventive mission of the United Nations — a United Nations which continues to be the only universal forum where all nations, small and large, rich and poor, can come together in dialogue to express their concerns and to contribute, each and every one of them, to building more peaceful and promising international relations in the interest of all peoples and all nations.

The President: I should like now to express my own sincere thanks to the facilitators — Ambassador Arnoldo Listre, Permanent Representative of Argentina to the United Nations; Ambassador Iftekhar Ahmed Chowdhury, Permanent Representative of Bangladesh to the United Nations; Ambassador Paul Heinbecker, Permanent Representative of Canada to the United Nations; Ambassador Bruno Stagno Ugarte, Permanent Representative of Costa Rica to the United Nations; Ambassador Abdul Mejid Hussein, Permanent Representative of Ethiopia to the United Nations; Ambassador Crispin Grey-Johnson, Permanent Representative of the Gambia to the United Nations; Ambassador Koichi Haraguchi, Permanent Representative of Japan to the United Nations; Ambassador Janusz Stańczyk, Permanent Representative of Poland to the United Nations; Ambassador Pierre Schori, Permanent Representative of Sweden to the United Nations; and Ambassador Ali Hachani, Permanent Representative of Tunisia to the United Nations — for their valuable contributions to the conduct of the open-ended informal consultations.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 10?

It was so decided.

Agenda item 40 (*continued*)

Question of equitable representation on and increase in the membership of the Security Council and related matters

Report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council (A/57/47)

Draft decision (A/57/47, para. 26)

The President: Members will recall that the General Assembly held a debate on this item at its 27th to 32nd plenary meetings, on 14 to 16 October 2002, jointly with agenda item 11, "Report of the Security Council".

We shall now proceed to consider the draft decision contained in paragraph 26 of the report of the Open-ended Working Group.

The Assembly will now take a decision on the draft decision contained in paragraph 26 of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council. May I take it that the Assembly decides to adopt the draft decision?

The draft decision was adopted (decision 57/591).

The President: I should like to express my sincere thanks to Ambassador Thorsteinn Ingólfsson of Iceland and Ambassador Chuchai Kasemsarn of

Thailand, the two Vice-Chairmen of the Open-ended Working Group, who so ably conducted the discussions and complex negotiations of the Working Group. I am sure that members of the Assembly join me in expressing to them our sincere appreciation.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 40?

It was so decided.

The meeting rose at 12.05 p.m.